

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:

Randy & Linda Thomas

Debtor

)
)
) Bankruptcy No. 09 B 33933
) Chapter 11
)
)
) Judge A. Benjamin Goldgar
)
)

FINAL AGREED ORDER AUTHORIZING USE OF CASH COLLATERAL

THIS CAUSE coming on to be heard on the Debtors' continuing motion to use cash collateral pursuant to Section 363 of the Bankruptcy Code; the parties having agreed to entry of this Order and the Court being advised in the premises;

IT IS HEREBY ORDERED:

1. For the period from April 14, 2010, through confirmation of a plan, the Debtors are authorized to use cash collateral of The Private Bank to pay their ordinary and necessary post petition expenses related to the property known as 2216-2224-2230 Oneida, Joliet, Illinois.

2. As adequate protection for its existing rights and its interest in the cash collateral, the use of which is authorized by this order, and to the extent that the use of the cash collateral results in any decrease in the value of The Private Bank's liens in said cash collateral, The Private Bank is granted valid, perfected and enforceable post-petition replacement liens on all rents derived from the subject real estate, to the same extent that it had perfected liens prepetition. The Private Bank's post petition lien shall be superior in right to any other lien hereinafter created or arising unless The Private Bank consents in writing or the Court orders otherwise. The replacement liens granted pursuant to this order shall be deemed perfected as against any and all third parties without regard to any applicable statute or other non-bankruptcy law regarding filing or recording, and shall be

deemed perfected as of September 14, 2009, to the same extent that The Private Bank's pre-petition liens that are being replaced are valid, perfected and subsisting under applicable law.

3. As additional adequate protection of the security interest of the Private Bank, the Debtors shall pay \$15,000.00 to The Private Bank on or before April 14, 2010; and \$15,000.00 on the 15th of each month thereafter until payments to The Private Bank commence under a confirmed plan.

Date: 26 APR 2010

ENTER:


United States Bankruptcy Judge

Agreed:

Randy and Linda Thomas

By: 

Their attorney

The Private Bank

By: 

Their attorney